

RECONSIDERATION

None.

CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special Meeting minutes of January 11 and February 8, 2010 and Regular Meeting minutes of February 8, 2010. City Clerk. Recommend adoption.

Mayor Hornaday called for a motion for the approval of the recommendations of the consent agenda as read.

LEWIS/ZAK – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

Mr. Dauphinais reported on the Chamber of Commerce events, the numbers of participants, and the potential revenue sources related to visitors.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Borough Report
- B. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission
 - 3. Economic Development Advisory Commission
 - 4. Parks and Recreation Advisory Commission
 - 5. Port and Harbor Advisory Commission

- C. Prince William Sound Regional Citizen's Advisory Council, Report by John Velsko

PUBLIC HEARING(S)

- A. **Ordinance 09-40(S)**, An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager. Introduction September 14, 2009, Public Hearings October 12 & 26, November 23, 2009, January 25, February 8 & 22, 2010, Worksession November 9, 2009 and Second Reading March 22, 2010.

Memorandum 10-11 from City Planner and Planning Technician as backup.

Mayor Hornaday opened the public hearing.

Roberta Highland, city resident, requested transitional residential classification in the lower corner of West Hill; the remainder would return to rural residential. She supports Ocean Drive as transitional residential, but requests East End Road be returned to rural residential. Kachemak Drive should be returned to rural residential due to its wetlands functions and extreme bluff sensitivity. She asked that the map from the Homer Wetlands Function Assessment be included in the Comp Plan.

Frank Griswold, city resident, read his laydown referencing the Comprehensive Plan, the City Manager's involvement with the plan, and the Comprehensive Plan Citizen Advisory Committee.

Devony Lehner, city resident, supports the approach Roberta articulated on. She presented a resolution to Council designating all lands in the Stream Hill Park Subdivision as rural residential.

Rika Mouw, city resident, agreed with Roberta's comments. She noted the importance of the Beluga Wetland Complex. When reviewing the Land Allocation Plan, the City may consider selling wetland properties at fair market value to conservation buyers.

Sunrise Kilcher, city resident, wants to protect the land from being covered with asphalt. She noted the area between Mariner Drive, Calvin Coyle out East Road is in danger of not allowing agriculture. She hopes to have more sustainable ideas for Homer.

Leonard Wells, city resident, hopes Council will vote the Comp Plan down. The City does not have the authority, nor has the lawyer shown where they get authority.

Mayor Hornaday closed the public hearing.

- B. **Ordinance 10-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2010 Operating Budget by Appropriating \$15,000 from the City Sustainability Fund for the Purpose of Conducting Energy Audits and Cost Estimating on Several City

Buildings and Facilities. Roberts. Introduction February 8, 2010, Public Hearing and Second Reading February 22, 2010.

Mayor Hornaday opened the public hearing.

Roberta Highland, city resident, is proud of Homer and the Mayor in getting us started on the climate change project. She supports Ordinance 10-07. An energy audit at Skyview High School resulted in a savings of \$14,000 per month.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-07 by reading of title only for second and final reading.

ROBERTS/WYTHE – SO MOVED.

Brief discussion ensued on the ordinance and its intent to choose a couple buildings for a contractor to assess for money savings.

VOTE: YES. ROBERTS, WYTHE, ZAK, LEWIS

VOTE: NO. HOGAN

Motion carried.

C. **Ordinance 10-08**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2010 Budget to Appropriate Funds in the Amount of \$15,000 for a Junk Car Program. City Manager/City Planner. Introduction February 8, 2010, Public Hearing and Second Reading February 22, 2010.

Memorandum 10-33 from City Planner as backup.

Mayor Hornaday opened the public hearing.

There was no public testimony.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-08 by reading of title only for second and final reading.

HOGAN/WYTHE - SO MOVED.

Councilmember Hogan commented it should be the responsibility of the citizens to dispose of their own junk. There is a problem with junk vehicles and it could be a fineable offense as incentive to clean up.

WYTHE/ROBERTS – MOVED TO AMEND THE TITLE, SECOND WHEREAS, AND THE EXPENDITURE INFORMATION TO STRIKE THE \$15,000 FROM THE GENERAL FUND RESERVE ACCOUNT AND REPLACE IT WITH \$10,000 FROM THE UNALLOCATED REVENUES AND \$5,000 FROM THE PLANNING RESERVES.

Councilmember Zak stated the funds will allow for the drainage of fluids from vehicles to make them ready for the landfill.

VOTE: (amendment) YES. LEWIS, ROBERTS, WYTHE, ZAK, HOGAN

Motion carried.

Vote: (main motion as amended) YES. LEWIS, ROBERTS, WYTHE, ZAK

VOTE: NO. HOGAN

Motion carried.

D. **Ordinance 10-09**, An Ordinance of the City Council of Homer, Alaska, Authorizing an Additional \$5,000 Expenditure (Total Authorization \$30,000) of Homer Accelerated Roads and Trails Program (HART) Funds for the Purpose of Completing the Design of the Beluga Slough Trail. City Manager/Public Works Director. Introduction February 8, 2010, Public Hearing and Second Reading February 22, 2010.

Memorandum 10-34 from Public Works Director as backup.

Mayor Hornaday opened the public hearing.

There was no public testimony.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-09 by reading of title only for second and final reading.

WYTHE/LEWIS – SO MOVED.

WYTHE/ZAK – MOVED TO AMEND TO INCORPORATE A STATEMENT THAT WOULD CAUSE ALL OF THESE FUNDS TO REVERT BACK TO UNALLOCATED IF THIS PROJECT IS NOT COMPLETED THIS YEAR.

Councilmember Wythe noted in 2008 \$25,000 was allocated for the trail. She would like to see the Beluga Slough Trail move forward or reallocate the funds for something else.

City Manager Wrede explained the local match grant for design was cancelled for a year and a half. The Coastal Impact Assistance Program is to be reauthorized again so funds are expected from the grant and the Coastal Management Program.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Monies would be reallocated to the HART fund if the trail design is not completed. Councilmember Hogan expressed concern of using money from the HART fund, a dedicated revenue fund of tax monies. There is a prohibition against having dedicated funds unless they are targeted for matching grants and Federal projects per the State Constitution.

Brief discussion ensued on how the funds apply to the City. Attorney Klinkner will be consulted for direction.

VOTE: (main motion as amended) YES. HOGAN, LEWIS, ROBERTS, WYTHE, ZAK

Motion carried.

E. **Ordinance 10-11**, An Ordinance of the City Council of Homer, Alaska, Authorizing an Expenditure of \$26,000 (\$13,000 from the Sewer Reserve and \$13,000 from the Homer Accelerated Roads and Trails Program (HART)) for the Purpose of Completing the Design of Soundview Sewer Repair/Woodard Creek Crossing Improvement. City Manager/Public Works Director. Introduction February 8, 2010, Public Hearing and Second Reading February 22, 2010.

Memorandum 10-36 from Public Works Director as backup.

Mayor Hornaday opened the public hearing.

Leonard Wells, city resident, questioned the expenditure of HART funds on a water and sewer project.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-11 by reading of title only for second and final reading.

LEWIS/ROBERTS - SO MOVED.

Councilmember Wythe commented to repair the sewer it will require substantial repair. The bridge would require roads money.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 10-12**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2010 Operating Budget by Appropriating \$7,725 from the Airport Reserve Account for the Purpose of Replacing the Roll-Up Baggage Door at the Airport. City Manager/Public Works Director. Recommended dates: Introduction February 22, 2010, Public Hearing and Second Reading March 8, 2010.

Memorandum 10-39 from Public Works Director as backup.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-12 for introduction and first reading by reading of title only.

ZAK/ROBERTS - SO MOVED.

Councilmember Hogan questioned the amount of money for the baggage door. He asked if it had been sent out for RFP and local design for less money.

Public Works Director Meyer reported it is the cost to replace the baggage door that was installed sixteen years ago. The stainless steel door separates the public area from the baggage area. TSA will make sure it is serious door. Other options will be looked at, including a smaller door with a wall.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

- A. City Manager's Report

1. Activity Highlights / Last Two Weeks: During the two weeks since the last Council meeting, City staff have focused a great deal of energy on a variety of priority issues. The City Manager's office has been working on final CIP applications for the Congressional Delegation and the Legislature, proposal reviews for website design and operation, preparing special event applications and permit forms, follow-up with the legislature regarding the marine academy and City Hall funding, follow-up with DOT/PF re: Spit trail and Deep Water Dock. The Finance Department is wrapping final production of FY 2010 Budget and preparing for the FY 2009 Audit. The Police and Fire Departments are engaged in a series of training activities. Public Works has been struggling to keep up with the wild weather including plowing, sanding, thawing culverts and fire hydrants. The library is busy as usual and continues to provide a great service and resource to local residents during these tough economic times. Planning is focused upon the Spit Comprehensive Plan, the remand of the refuge Chapel CUP, and is contributing a great deal toward the update of the Hazard Mitigation Plan and the old vehicle recycling effort. The Port and Harbor Department is working on getting derelict vessels off of our beaches and out of the harbor and hopes to turn most of them into scrap steel. The staff has prepared RFP's for operation of the Fish Grinder facility and installation of a new card reader system on the Fish Dock and Deep Water Dock.

The Clerk's office is busy as usual, especially with public information requests. Everyone feels the shortage of staff and we are all trying to make a concerted effort to focus on priorities.

2. Juneau Presence: I am starting to make plans to spend time in Juneau. Based upon what I have heard and observed, I don't think going down just for the last 30 days of the session is the best use of the City's time. I believe it would be better to go down two or three separate times at strategic points and stay a week at a time. I would definitely be around at the end of the session. I am thinking about going down the first or second week in March. If I am going to spend that much time in Juneau, there is much more than just the capital priorities I can work on. The attached SB 212 is just one example. There are a whole host of bills that will affect municipalities directly. Representative Olsen has introduced a bill that would limit municipal taxes on fuel that could cost Homer 40% of its revenue on fuel sales. We need to figure out a good way to communicate quickly about these bills so that I know what the Council position is on them.

City Manager Wrede commended Finance Director Regina Harville and the Finance Department for receiving an award for preparation of the financial report that becomes the audit. Public Works Director Carey Meyer is now the longest serving Public Works Director in the City's history at 10.5 years. He has worked really hard for a long time, gets a lot of flack, but does a lot of good for the City.

A bill introduced by Representative Olsen will cap fuel taxes at 8 cents per gallon, instead of a sales tax percentage. The Borough Finance Director alerted City Manager Wrede to the bill. Homer's tax is currently 10 cents per gallon. It is estimated the City would lose 40% of all revenues derived from the sale of fuel.

- B. Bid Report
- C. Records Inventory Report

COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee

PENDING BUSINESS

None.

NEW BUSINESS

None.

RESOLUTIONS

- A. Resolution 10-24,** A Resolution of the City Council of the City of Homer, Alaska, Supporting the Formation of a Statewide Invasive Species Advisory Council. Mayor.

Mayor Hornaday called for a motion for the adoption of Resolution 10-24 by reading of title only.

LEWIS/HOGAN - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Frank Griswold, city resident, commented on the Comprehensive Plan and read from the Comprehensive Plan Citizens Advisory Committee synopsis of April 26, 2007. He commented on the core membership of the committee, with the same participants as the Town Center Development Committee. No similar committee was appointed to the Spit Comprehensive Plan.

Leonard Wells, city resident, asked Council to think about setting up a review committee for the water/sewer enterprise system. It will allow city residents a voice in the rates and policies. He recommended Council vote down the Comp Plan when it comes up on March 22nd.

Don McNamara, city resident, commented \$19,000 in HART money was used to knock down trees on two lots. The City hired Troy Jones to work on three different properties, and Troy has not been paid. On the seawall, Mr. McNamara said the City said they would pick up everything over \$1,030,000. The City outspent the residents 2:1 in lawyer fees. He asked to abolish the ordinance. The City's portion of the seawall has fiberglass showing underneath; he hopes the insurance company does not hear him remarking about the dire condition of the City's seawall.

Donna Rae Faulkner, city resident, asked Council to abolish the seawall ordinance or delete property owners who do not want in. They never agreed to be in a homeowner's association; why would the Council want to support it? It is an unfair and inequitable mill rate and she asked to be deleted from the group.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

COMMENTS OF THE CITY COUNCIL

Councilmember Hogan stated Homer Air was featured in the Sunday travel section of the New York Times. You can't buy that kind of advertising.

Councilmember Roberts commented the Public Works Department says it has been difficult to maintain roads and keep everything open. She appreciated the letter to the public from Public Works explaining about the berms and why things have been more difficult recently.

Councilmember Zak attended the climate action meeting here last week for economic briefing. He is concerned about the local landfill and how quickly it is filling up. As of yet, the Borough has no solution. He believes there may be something else that can be done rather than trucking trash to Soldotna. It would have an adverse impact on the roads, as well as the added fuel consumption. As to the Comprehensive Plan, for water and sewer, we need to think about the overall growth capability. A committee assigned to discuss water and sewer would have to look at it strategically for the impact on businesses and future growth.

ADJOURNMENT

There being no further business to come before the Council the meeting was adjourned at 7:14 p.m. by Mayor Hornaday. The next Regular Meeting is scheduled for Monday, March 8, 2010 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, March 8, 2010 at 5:00 p.m. A Special Meeting is scheduled for Thursday, February 25, 2010 at 4:15 p.m. a Worksession is scheduled for Monday, March 8, 2010 at 4:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, CMC, CITY CLERK

Approved: _____